

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

LEE MICHAEL ALDRIDGE,

Petitioner,

CASE NO. 2:10-cv-0337
CRIM. NO. 2:07-cr-0154(1)

v.

JUDGE HOLSCHUH

UNITED STATES OF AMERICA,

Respondent.

OPINION AND ORDER

On August 6, 2010, the Magistrate Judge recommended that petitioner be appointed counsel to represent him at an evidentiary hearing on his claim of ineffective assistance of counsel based on his attorney's failure to file an appeal after being requested to do so. Although the parties were advised of the right to object to the *Report and Recommendation*, and of the consequences of failing to do so, no objections have been filed.

The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. Petitioner shall be appointed counsel to represent him at an evidentiary hearing, to be held before the Magistrate Judge, on his claim of ineffective assistance of counsel.

IT IS SO ORDERED.

Date: September 7, 2010

/s/ John D. Holschuh
JOHN D. HOLSCHUH
United States District Judge